

REMARKS

This Amendment After Final Rejection is submitted in response to the outstanding final Office Action, dated June 3, 2005. Claim 5 was previously canceled in an Office Action Response dated December 18, 2003. Through a restriction requirement, the Examiner withdrew claims 2, 6, 7, and 9. Consequently, claims 1, 3, 4, and 8 are pending. In this response, Applicants propose to amend claims 1, 3, and 8 and propose to cancel claims 2, 6, 7, and 9, without prejudice. No additional fee is due.

This amendment is submitted pursuant to 37 CFR §1.116 and should be entered. The Amendment places all of the pending claims, i.e., claims 1, 3, 4, and 8, in a form that is believed allowable, and, in any event, in a better form for appeal. It is believed that examination of the pending claims as amended, which are consistent with the previous record herein, will not place any substantial burden on the Examiner.

In the outstanding final Office Action, the Examiner rejected claims 1, 3, 4 and 8 under 35 USC §103(a) as being unpatentable over Alperovich et al. (United States Patent Number 5,987,318).

Please cancel claims 2, 6, 7, and 9, without prejudice.

Independent Claims 1, 3 and 8

Independent claims 1, 3, and 8 were rejected under 35 USC §103(a) as being unpatentable over Alperovich et al. In particular, the Examiner asserts that Alperovich teaches a network node device connected to one or more wireless connections.

Applicants note that Alperovich teaches that the “serving MSC retrieves the data correlating the first mobile station with the second mobile station, determines that the first mobile station is currently located within the same home zone, and conferences the first mobile station into the existing call connection involving the second mobile station by utilizing one of the call conference circuits.” (See, Abstract.) Independent claims 1, 3, and 8 have been amended to require *scanning frequencies to locate the identifier returned from said network node device as a verified identifier with an assigned frequency; and returning the identifier along the said assigned frequency for establishing communication along said frequency*. Support for this amendment can be found on page 28, line 3, to page 30, line 3 (see, also, page 20, line 15, to page 23, line

19). Applicants note that Alperovich does not disclose or suggest scanning frequencies to locate an identifier returned from a network node device as a verified identifier with an assigned frequency; and returning the identifier along the assigned frequency for establishing communication along said frequency.

5 Thus, Alperovich et al. do not disclose or suggest scanning frequencies to locate the identifier returned from said network node device as a verified identifier with an assigned frequency; and returning the identifier along the said assigned frequency for establishing communication along said frequency, as required by independent claims 1, 3, and 8, as amended.

10 Consequently, Applicants respectfully submit that amended independent claims 1, 3, and 8 are patentable over Alperovich et al. and request that the §103(a) rejection be withdrawn.

Dependent Claim 4

15 Dependent claim 4 is dependent on independent claim 3 and is therefore patentably distinguished over Alperovich et al. because of its dependency from amended independent claim 3 for the reasons set forth above, as well as other elements this claim adds in combination to its base claim.

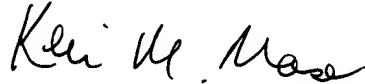
Conclusion

20 All of the pending claims, i.e., claims 1, 3, 4, and 8, are in condition for allowance and such favorable action is earnestly solicited.

 If any outstanding issues remain, or if the Examiner has any further suggestions for expediting allowance of this application, the Examiner is invited to contact the undersigned at the telephone number indicated below.

The Examiner's attention to this matter is appreciated.

Respectfully submitted,



Date: September 6, 2005

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